

found in the originally filed application at, for example, page 10 and FIG. 2. A marked-up copy of the amended claims and a clean copy of the pending claims are attached hereto.

Kline/Deem

Claims 22-26, 28, 34, 35, and 38 are rejected under 35 U.S.C. § 103(a) over U.S. Patent No. 3,749,086 to Kline et. al. (hereinafter “Kline”) in view of U.S. Patent No. 6,042,876 to Deem (hereinafter “Deem”). Claims 41-45, 50, 51, and 54 are rejected under 35 U.S.C. § 102(b) as anticipated by Kline. Claims 36 and 52 are objected to.

Applicants submit that neither Kline nor Deem, alone or in combination, teaches or suggests at least a tip composed of a polymeric material and extending from a distal end of the coil, as recited in amended independent claims 22 and 41. Any combination of these two references thus could not possibly result in a guide wire as now recited in claims 22 or claim 41.

Furthermore, Applicants submit that Deem is not properly combinable with Kline because Deem requires that “successive turns [of its coil] are spaced-apart in a range of 15%-50% of the width of the filament” to accept a coating, which “bridges the space between [these] successive turns.” Col. 2, lines 31-36. The coil in Kline could not accept the coating required by Deem because Kline’s coil must be tightly wrapped “with helices thereof in contact with each other.” Col. 1, lines 58-60 and FIGS. 1-3. One of ordinary skill considering the entirety of the teachings of these two references (as required) would not have combined these references due to the directly conflicting and contradictory disclosures about the coil turn spacings. Applicants therefore submit that independent claims 22 and 41 are allowable over Kline and Deem, and that claims 23-26, 28, 34-36, 38, 42-45, 50-52, and 54 are also allowable over these references, as depending from allowable independent claims 22 and 41.

Morrison/Deem

Claims 22-26, 30, 33-35, 38, 41-46, 49-51, and 54 are rejected under 35 U.S.C. § 103(a) over U.S. Patent No. 4,748,986 to Morrison (hereinafter “Morrison”) in view of Deem. Claims

31, 32, 47 and 48 are rejected under 35 U.S.C. § 103(a) over Morrison and Deem and further in view of U.S. Patent No. 6,106,485 to McMahon (hereinafter "McMahon"). Claims 36 and 52 are objected to.

Applicants submit that neither Morrison nor Deem, alone or in combination, teaches or suggests at least a unitary coil that surrounds a substantial length of a core and extends distal of the distal portion of the core, or a tip composed of a polymeric material and extending from a distal end of the coil, as recited in amended independent claims 22 and 41. McMahon also fails to teach or suggest at least a unitary coil that surrounds a substantial length of a core and extends distal of the distal portion of the core. Given that these three references each fails to teach or suggest at least one common feature recited in the independent claims, Applicants submit that amended independent claims 22 and 41 are in condition for allowance, and that dependent claims 23-26, 30, 33-36, 38, 42-46, 49-52, and 54 are allowable as depending from allowable independent claims.

Other Rejections/References

Claim 29 is rejected under 35 U.S.C. § 103(a) over Morrison and Deem and further in view of U.S. Patent No. 5,947,940 to Beisel (hereinafter "Beisel"). Claims 37 and 53 are rejected under 35 U.S.C. § 103(a) over Morrison and Deem and further in view of U.S. Patent No. 6,245,030 to DuBois et. al. (hereinafter "DuBois"). Claims 39, 40, 55 and 56 are rejected under 35 U.S.C. § 103(a) over Morrison and Deem and further in view of U.S. Patent No. 5,154,705 to Fleischhacker et. al. (hereinafter "Fleischhacker").

Applicants submit that each of these rejected dependent claims is allowable. Neither Beisel nor DuBois cures the above-identified deficiencies of Morrison and Deem because neither Beisel nor DuBois teaches or suggests at least a tip composed of a polymeric material and extending from a distal end of a coil. Fleischhacker also does not teach or suggest at least a tip composed of a polymeric material and extending from a distal end of the coil. Given that all five

of these references each fails to teach or suggest at least one common feature recited in the independent claims, Applicants submit that no combination of them could possibly result in a guide wire with that feature. Thus, all claims are allowable.

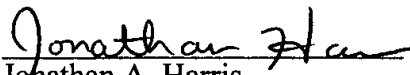
Conclusion

In view of the foregoing, Applicants request reconsideration and allowance of claims 22-26, 28-30, 32-46, and 48-56 in due course. If, in the Examiner's opinion, a telephonic interview would expedite allowance of the claims, the undersigned attorney invites the Examiner to call him at the telephone number given below.

Respectfully submitted,

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Reg. No.: 44,744
Tel. No. (617) 248-7328
Fax No. (617) 248-7100


Jonathan A. Harris
Attorney for Applicants
Testa, Hurwitz & Thibault, LLP
High Street Tower
125 High Street
Boston, MA 02110

Marked-Up Copy of Claims

22. (Thrice Amended) A guide wire comprising:

an elongate core composed of a nickel-titanium alloy and including a length and a distal portion; [and]

a unitary coil composed of a second material and that surrounds a substantial portion of the length of the core and extends distal of the distal portion of the core; and

a tip composed of a polymeric material and extending from a distal end of the coil.

31. (Cancel) The guide wire of claim 22 further comprising a tip bonded to a distal end of the coil and comprising a polymeric material.

32. (Amended) The guide wire of claim [31]22 wherein the tip includes a radio-opaque material.

33. (Amended) The guide wire of claim 22 wherein the coil comprises a pitch that varies at least once along the length of the core.

41. (Amended) A guide wire comprising:

a core including a length and a distal portion; [and]

a unitary coil that surrounds a substantial portion of the length of the core and extends distal of the distal portion of the core; and

a tip composed of a polymeric material and extending from a distal end of the coil.

47. (Cancel) The guide wire of claim 41 further comprising a tip bonded to a distal end of the coil and comprising a polymeric material.

48. (Amended) The guide wire of claim [47]41 wherein the tip comprises a radio-opaque material.

49. (Amended) The guide wire of claim 41 wherein the coil comprises a pitch that varies at least once along the length of the core.